

OFFICIAL GAZETTE



GOVERNMENT OF GOA

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Department of Education, Art & Culture

Order

9/6/82-EDN/HA

Sanction of the Government is hereby conveyed to redesignate the below mentioned Group 'B' and Group 'C' posts in the Directorate of Archives, Archaeology and Museum, with immediate effect as under:—

Existing designation	Redesignated as
<i>Group 'B'</i>	
1) Research Assistant (Sr.) in the scale of Rs. 1640-2900.	Assistant Archivist Gr. I in the scale of Rs. 1640-2900.
<i>Group 'C'</i>	
2) Assistant Archivist (Jr.) and Research Assistant (Jr.) in the scale of Rs. 1400-2300.	Assistant Archivist Gr. II in the scale of Rs. 1400-2300.

This issues with the concurrence of Finance Department vide their U. O. No. Fin. (Rev. & Cont.)/3581/95 dated 9-10-1995.

By order and in the name of the Governor of Goa.

G. J. Prabhudessai, Under Secretary (Education).

Panaji, 10th November, 1995.

Department of Home

Home - General Division

Notification

2-20-92-HD (G)

In exercise of the powers conferred by section 13A of the Goa, Daman and Diu Public Gambling Act, 1976 (Act 14 of 1976), and in supersession of all earlier Notifications in this behalf, the Government of Goa is pleased to authorise games of electronic

amusement/slot machines subject to the following terms and conditions:—

1. *Definitions.*— In this Notification, unless the context otherwise requires,—

(i) "Act" means the Goa, Daman and Diu Public Gambling Act, 1976 (Act 14 of 1976);

(ii) "Authority" means the Under Secretary (Home), Government of Goa, Secretariat, Panaji, Goa;

(iii) "Appellate Authority" means the Administrative Tribunal constituted under the Goa, Daman and Diu Administrative Tribunal Act, 1965 (Act 6 of 1965);

(iv) "Five Star Hotel" for the purpose of section 13A of the Act, shall mean a hotel certified as such by an authority competent to classify hotels in the Government of India or certified to be a five star hotel for this purpose by the Director, Department of Tourism of the Government;

(v) "games of electronic amusement/slot machines" means all kinds of electronic games and slot machines but do not include video games;

(vi) "Government" means the Government of Goa;

(vii) "Inspection Officer" means any officer of the Government duly authorised in writing by the Government to inspect the licensed premises to determine compliance with the provisions of the Act and of this Notification;

(viii) "licence" means any licence granted pursuant to clause 5 of this Notification;

(ix) "licensee" means any person who has been granted a licence to install and operate games of electronic amusement/slot machines under clause 5 of this Notification;

(x) "licensed premises" means any premises where a licensee installs and operates games of electronic amusement/slot machines pursuant to licence granted to him under clause 5 of this Notification.

2. Any person desirous of obtaining a licence for installing and operating games of electronic amusement/slot machines shall make an application to the Authority in Form 'A' appended hereto as Appendix I.

3. (i) The licence may be applied for by an individual or by a firm or by a body corporate.

(ii) The licensee may allow the benefit of the licence to the firm of which he is a partner or to a body Corporate of which he is a Director, Manager, Secretary or Principal Officer.

4. (i) The application under clause 2 shall be signed and verified, in the case of —

(a) an individual, by the applicant or a person having due authority to act on behalf of him;

(b) a firm, by any partner managing the business thereof;

(c) a body corporate (including a company, a cooperative Society, corporation or local authority), by a Director, Manager, Secretary or Principal Officer thereof or by a person duly authorised to act in that behalf.

(ii) The person signing and verifying an application for grant of licence shall specify his status and shall, wherever possible, give particulars of the authority vested in him for signing and verifying the application.

5. (i) A licence fee of Rs. 500/- per machine of electronic amusement/slot machine shall be payable towards grant of licence and such fee shall be paid into the Government treasury. The licence fee for renewal of licence shall be the same as indicated above.

(ii) If the Authority, after making such inquiry as may be necessary, is satisfied that the application conforms to these terms and conditions, shall recommend to the Government to grant a licence in Form 'B' appended hereto as Appendix II in favour of the applicant on receipt of a copy of challan in proof of payment of Rs. 500/- per machine of electronic amusement/slot machine in the Government treasury.

(iii) Upon receipt of recommendation of the Authority, the Government may approve the grant of licence in favour of the licensee whereupon the licence in Form 'B' appended hereto as Appendix II shall be issued by the Authority in favour of the licensee.

(iv) A licence granted hereunder shall be for a period of five years and may be renewed after five years on payment of the same fees due before the expiry of the currency of the licence.

(v) The Government may, for reasons, to be recorded in writing, reject an application for grant/renewal of licence as the case may be.

(vi) For renewal of licence, the licensee shall follow the same procedure as specified above for the grant of new licence at least 30 days before the expiry of the licence.

(vii) A licensee shall be liable to pay recurring fee at the rate of Rs. 6000/- per year per machine of electronic amusement/slot machine in advance on or before 31st March of every year which amount shall be deposited into Government treasury by means of challan under the Head of Account as specified by the Authority and shall furnish a copy of challan to the Home Department of the Government.

(viii) Every licensee shall display conspicuously at the licensed premises, the licence granted under

sub-clause (iii). The licensee shall operate these machines only through Five Star Hotels taking all necessary steps to keep the premises neat and tidy and shall also ensure that appropriate facilities are made available for proper conduct of the games of electronic amusement/slot machines in the licensed premises.

(ix) The licensee shall deposit in Government treasury a sum of Rs. 5000/- per licence for installation of electronic amusement/slot machines as security deposit for due compliance with the terms and conditions of the licence and the challan in respect thereof, furnished to the Authority.

(x) In case a licence is not renewed, an application for refund of fee paid shall be made to the Authority within one month from the date of such refusal or non-renewal, as the case may be. Whenever, the Authority is satisfied that a refund is due, it shall issue a refund voucher to the applicant/licensee which shall be encashed at the Government treasury.

6. In the event of breach of any of the terms and conditions contained hereinabove, the Government shall, after issuing notice and giving the licensee an opportunity to be heard, determine the licence and forfeit the security deposit. In case of such determination/forfeiture, the licensee shall be liable to pay arrears of fees, if any.

7. (i) If an applicant/licensee is aggrieved by the decision of the Government, an appeal shall lie to the Appellate Authority within a period of 30 days from the receipt of order thereof.

(ii) A Memorandum of Appeal shall be presented in duplicate to the Appellate Authority by the Appellant/licensee or his agent or it may be sent to the Appellate Authority by registered post.

(iii) The Memorandum of appeal shall,—

(a) be in writing;

(b) specify the name and address of the appellant;

(c) specify the date of order appealed against;

(d) contain a clear statement of facts;

(e) contain all specific grounds of appeal;

(f) state precisely and in brief the relief prayed for; and

(g) be signed and verified by the appellant or by the agent duly authorised by him in writing to do so on his behalf in the following form;

"I appellant/agent appointed by the appellant, named in the above Memorandum of Appeal, do hereby declare that what is stated hereinabove is true to the best of my knowledge and belief."

(iv) A fee in the amount of Rs. 200/- shall be payable in respect of the Memorandum of Appeal. The Memorandum of Appeal shall be accompanied by either the order in original appealed against or a duly authenticated copy thereof, unless omission to produce such order or copy thereof is explained at the time of presenting the Memorandum of Appeal to the satisfaction of the Appellate Authority.

(v) The appeal may be summarily rejected by the Appellate Authority if the appellant fails to comply with any of the requirements as stated above despite an opportunity given to rectify any omission or non compliance.

(vi) The Appellate Authority may, after giving the parties to the appeal an opportunity of being heard, pass such orders as it thinks fit either confirming, modifying or annulling the order or decision appealed against and may remand the case to the Government against whose order or decision the appeal is filed for fresh order or decision after considering additional evidence if necessary or such other action as the Appellate Authority may specify.

(vii) Save as otherwise provided hereinabove, the Appellate Authority may follow the same procedure as laid down in the Goa, Daman and Diu Administrative Tribunal Rules, 1965, for the purpose of presentation and disposal of appeal.

8. (i) The Authority or the Inspection Officer or any other officer authorised by him in this behalf, may enter any licensed premises at any reasonable time to inspect compliance with the provisions of the Act and/or these terms and conditions.

(ii) The licensee shall provide every reasonable assistance to the Authority or the Inspection Officer in the performance of his duties under sub-clause (i).

(iii) If any person prevents or obstructs the entry of the Authority or the Inspection Officer or any other Officer authorised by him in this behalf, he shall, in addition to any other punishment to which he may be liable under any law for the time being in force, be punished with fine which may extend to five hundred rupees on conviction before a Magistrate.

By order and in the name of the Governor of Goa.

D. M. Katkar, Under Secretary (Home).

Panaji, 9th November, 1995.

APPENDIX — I

FORM 'A'

Application Form for grant of Licence/Renewal of Licence for games of Electronic Amusement/slot Machines

- (1) Full name of the applicant:
- (2) Address of the applicant:
 - i) Temporary address
 - ii) Permanent address
- (3) Age of the applicant:
- (4) Occupation:
- (5) Rates of fees proposed to be charged to the customer, categorywise for different types of games:
- (6) No. of machines proposed to be installed:
- (7) Whether the application is for grant of fresh licence or renewal? If renewal, previous licence number and date of expiry of the said licence:
- (8) Whether the relevant, fee/tax under any statutory law for the previous period has been cleared

and if so, the total amount paid (enclose a copy of the challan under which the amount has been paid):

- (9) Hours during which the games will be conducted:

Place:

Signature of the applicant

Date:

APPENDIX — II

FORM 'B'

Licence for installation of Games of Electronic Amusement/Slot Machines

No. ...

District ...

This is to certify that Shri/Messrs ... of ... has been authorised and granted a Licence for installation of Games of Electronic Amusement/Slot Machines on the terms and conditions as prescribed vide Government Notification No. ... dated ... with effect from ... to ...

This Licence shall be subject to conditions as specified hereunder and as prescribed under the Government Notification ... in terms of section 13A of the Goa, Daman and Diu Public Gambling Act, 1976 (Act 14 of 1976).

- (1) The Licensee shall operate the games machines only in ...
- (2) The Licensee shall ensure that no inconvenience/disturbance is caused to the other occupants staying in the premises/vicinity of the premises where the games machines will be operated.
- (3) The Licensee shall be responsible for providing appropriate facilities to the customers.
- (4) The Licensee shall pay the requisite fee/tax under any statutory law to the Government before the end of the year and before an application is made for renewal of this licence.
- (5) The Licensee shall extend co-operation to the Authority and to any Officer authorised by the Government for carrying out inspection of the premises and records maintained by him.
- (6) In case of any contravention of terms and conditions, of the Licence or non-co-operation to the Authority or to any Officer authorised by the Government, the licence shall be liable for cancellation.
- (7) The Licensee shall also observe terms and conditions as prescribed under section 13A of the Goa, Daman and Diu Public Gambling Act, 1976 (Act 14 of 1976) vide Government Notification No. ... dated

Dated:

Place:

Signature of the Under Secretary (Home).

Department of Labour

Notification

25/2/95-LAB

In exercise of the powers conferred by section 27 of the Minimum Wages Act, 1948 (Central Act XI of 1948) (hereinafter called the "said Act"), the Government of Goa hereby gives notice of its intention to add to Part I of the Schedule to the said Act, the following employment, namely:—

"XX Employment in units engaged in the manufacture, assembling of electronic goods

and components and distribution and sale of electronic products.”

All objections and suggestions, if any, should be sent to the Secretary, Labour, to the Government of Goa, Secretariat, Panaji-Goa, within three months from the date of publication of this Notification in the Official Gazette.

By order and in the name of the Governor of Goa.

F. O. D'Costa, Under Secretary (Labour).

Panaji, 26th October, 1995.

Notification

HS-8-9-68-1

The following draft amendment which is proposed to be made to the Goa, Daman and Diu Housing Board Rules, 1969, is hereby pre-published as required by sub-section (1) of section 128 of the Goa, Daman and Diu Housing Board Act, 1968 (Act 12 of 1968), for information of the persons likely to be affected thereby and notice is hereby given that the said draft amendment will be taken into consideration by the Government on the expiry of 15 days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft amendment may be forwarded to the Secretary to the Government of Goa, Department of Housing, Secretariat Annexe, EDC House, Panaji, before the expiry of 15 days from the date of publication of this Notification in the Official Gazette.

DRAFT AMENDMENT

In exercise of the powers conferred by section 128 of the Goa, Daman and Diu Housing Board Act, 1968 (Act 12 of 1968), the Government of Goa hereby makes the following rules so as to amend the Goa, Daman and Diu Housing Board Rules, 1969, namely:—

1. *Short title and commencement*.—(1) These rules may be called the Goa Housing Board (2nd Amendment) Rules, 1995.

(2) They shall come into force at once.

2. *Amendment of rule 3*.—In clause (a) of sub-rule (3) of rule 3 of the Goa, Daman and Diu Housing Board Rules, 1969, for the words and figures “Rs. 50/-”, the words and figures “Rs. 100/-” shall be substituted.

By order and in the name of the Governor of Goa.

F. D. D'Costa, Under Secretary (Housing).

Panaji, 26th October, 1995.

Department of Law and Judiciary

Legal Affairs Division

Notification

12-2-94-95-LA

The Indian Penal Code (Amendment) Act, 1995 (Central Act 24 of 1995) which has been passed by Parliament of India on 26-5-1995 and published in the Gazette of India, Extraordinary, Part II, Section I, dated 27-5-1995 is hereby published for the general information of the public.

P. V. Kadnekar, Joint Secretary (Law).

Panaji, 17th October, 1995.

THE INDIAN PENAL CODE (AMENDMENT) ACT, 1995

AN

ACT

further to amend the Indian Penal Code.

Be it enacted by Parliament in the Forty-sixth year of the Republic of India as follows:—

1. *Short title*.—This Act may be called the Indian Penal Code (Amendment) Act, 1995.

2. *Amendment of section 364A*.—In section 364A of the Indian Penal Code, 45 of 1860, for the words “any other person”, the words “any foreign State or international enter-governmental organisation or any other person” shall be substituted.